

Notice of Allowability

Application No.

09/625,442

Examiner

Jeffrey D. Carlson

Applicant(s)

HUNG, PATRICK SIU-YING

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board Decision rendered 3/23/07.
2. ☒ The allowed claim(s) is/are 3-9, 11-13 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott Hewett on 5/14/2007.

The application has been amended as follows:

- Claim 2 has been canceled.
- Claim 8 has been amended as follows:

8. A configurable portable electronic communication device comprising:

a receiver configured to receive an electronic wireless transmission containing coupon information;

a processor electronically coupled to the receiver;

an electronic display coupled to the processor, the electronic display having a nominal minimum dimension of less than about 13 mils and an inter-pixel spacing of less than about 1.3 mils;

a memory containing a computer-readable program for generating a scannable coupon on the electronic display of the configurable portable electronic communication device from the coupon information and including

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instructions for converting the scannable coupon from a first scannable barcode format to a second scannable barcode format.

2. Claims 3-9, 11-13, 24 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Independent claim 8 requires the key features of a processor, electronic display (with specific pixel characteristics) and programming for displaying a scannable coupon on the display. While Mankovitz et al teaches a device programmed to electronically display a scannable barcode, Mankovitz et al does not teach the specific pixel dimension requirements of "a nominal minimum dimension of less than about 13 mils and an inter-pixel spacing of less than about 1.3 mils" as now required by claim 8. Bone, Jr (US6082620) teaches an electronically displayed barcode and further teaches a particular displayed element thickness of about 0.021 inch (21 mils) and a spacing of 0.001 to 0.003 inch (1 to 3 mils) [column 5 lines 20-22], but he does not teach a nominal minimum dimension of less than about 13 mils and an inter-pixel spacing of less than about 1.3 mils as now required by claim 8. Bushnell (Getting started with bar codes) teaches dimensions for "narrow bar or 'X'" as .0075 inch (7.5 mils) and .010 to .020 inch (10-20 mils) [bottom of page 43, table on page 53], however Bushnell (Getting started with bar codes) does not appear to teach the

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claimed inter-pixel spacing and is further directed to printed barcodes on labels, not electronic displays.

Independent claim 13 requires the key features of a processor, LCD display (with specific pixel characteristics) and programming for displaying a scannable coupon on the display. While Mankovitz et al teaches an LCD device programmed to electronically display a scannable barcode, Mankovitz et al does not teach the specific pixel dimension requirements of "a minimum nominal dimension of less than or equal to about 13 mils and an inter-pixel spacing of less than or equal to about 1.3 mils" as required by claim 13. Bone, Jr (US6082620) teaches an electronically displayed barcode and further a particular displayed element thickness of about 0.021 inch (21 mils) and a spacing of 0.001 to 0.003 inch (1 to 3 mils) [column 5 lines 20-22], but he does not teach "a minimum nominal dimension of less than or equal to about 13 mils and an inter-pixel spacing of less than or equal to about 1.3 mils" as required by claim 13. Bushnell (Getting started with bar codes) teaches dimensions for "narrow bar or 'X'" as .0075 inch (7.5 mils) and .010 to .020 inch (10-20 mils) [bottom of page 43, table on page 53], however Bushnell (Getting started with bar codes) does not appear to teach the claimed inter-pixel spacing and is further directed to printed barcodes on labels, not electronic displays.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Nemirofsky (US5594493) has been cited because it teaches another example of a portable device having circuitry to store promotions and an LCD screen which displays promotions as barcodes [abstract, col 10 lines 40-45, col 11 lines 3-18]. The displayed barcode can be scanned for redemption at a POS terminal [col 16 lines 3-5]. Also a coating is present on the display screen to increase the contrast [col 8 lines 10-14]. The reference does not teach the claimed pixel requirements.

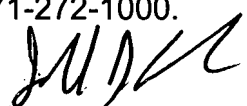
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Carlson whose telephone number is 571-272-6716. The examiner can normally be reached on Mon-Fri 8a-5:30p, (work from home on Thursdays).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeffrey D. Carlson
Primary Examiner
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jdc